# Veterans Review and Appeal Board

## 2013-14

### Report on Plans and Priorities

---

The Honourable Steven Blaney, P.C., M.P.
Minister of Veterans Affairs

# Table of Contents


Chair's Message ..... 1

Section I: Organizational Overview ..... 3

- Raison d'être ..... 3
- Responsibilities ..... 3
- Strategic Outcome and Program Alignment Architecture (PAA) ..... 6
- Organizational Priorities ..... 6
- Risk Analysis ..... 8
- Planning Summary ..... 10
- Expenditure Profile ..... 12
- Estimates by Vote ..... 12

Section II: Analysis of Program by Strategic Outcome ..... 13

- Strategic Outcome ..... 13
- Program ..... 13
- Planning Highlights ..... 14

Section III: Supplementary Information ..... 17

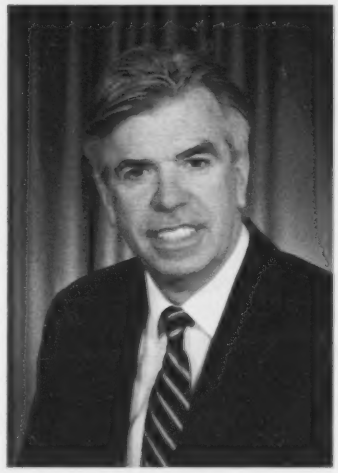
- Financial Highlights ..... 17
- Future-Oriented Financial Statements ..... 18
- List of Supplementary Information Tables ..... 18

Section IV: Other Items of Interest ..... 19

- Organizational Contact Information ..... 19

Endnotes ..... 19

## Chair's Message



I am pleased to present the 2013-2014 Report on Plans and Priorities for the Veterans Review and Appeal Board.

The Board exists to ensure that Veterans, Canadian Forces (CF) and Royal Canadian Mounted Police (RCMP) members, and their families receive the benefits they are entitled to under the legislation. We do this by providing an independent avenue of appeal for disability benefits decisions made by Veterans Affairs Canada (VAC). Our job is to provide applicants with fair, impartial, and accessible hearings, and to issue clear decisions in a timely manner.

Last year, both the Veterans Ombudsman and the House of Commons Standing Committee on Veterans Affairs made recommendations about how they believe the Board could improve the appeal program. The Board is committed to addressing these recommendations in 2013-2014 and beyond.

To do so, we will focus on a number of new and existing initiatives. In particular, we will continue to promote plain language in decisions and information resources as a means of fostering a better understanding of the appeal program. We will work with stakeholders to get their feedback on our activities and to identify new outreach opportunities. We will also continue to look at our processes to identify new ways to respond to Veterans' changing needs and expectations.

Above all, we will continue to provide fair hearings to those who come to the Board for an independent appeal. The Board is honoured to do this work on behalf of Veterans, CF and RCMP members, and their families. As always, we will carry out our mandate with a strong sense of responsibility towards those who have served our country.

John D. Larlee
Chair, Veterans Review and Appeal Board

# Section I: Organizational Overview

## Raison d'être

The Veterans Review and Appeal Board (the Board) is an independent, quasi-judicial tribunal created in 1995. The Board provides an appeal program for service-related disability decisions made by Veterans Affairs Canada. This program gives applicants two levels of redress for disability pension and disability award decisions and the final level of appeal for War Veterans Allowance claims.

The Board's objective is to ensure that Canada's traditional Veterans, Canadian Forces members and Veterans, Royal Canadian Mounted Police applicants, qualified civilians and their families receive the disability pensions, disability awards and other benefits to which they are entitled under the law. The Minister of Veterans Affairs is responsible for this organization.

## Responsibilities

**The Board: an Administrative Tribunal**

Administrative tribunals like the Board are highly specialized in the matters they deal with. They exist to give dissatisfied people a remedy that is less formal, less costly and less time-consuming than the courts. Learn more about the Board's mandate[1] and organization[2].

The Board's work is governed by the:

- *Veterans Review and Appeal Board Act*[3]; and
- *Veterans Review and Appeal Board Regulations*[4].

Applications for review and appeal can be made to the Board under the:

- *Pension Act*[5];
- *Canadian Forces Members and Veterans Re-establishment and Compensation Act - Part 3*[6] (New Veterans Charter);
- *War Veterans Allowance Act*[7];
- *Royal Canadian Mounted Police Pension Continuation Act*[8]; and
- *Royal Canadian Mounted Police Superannuation Act*[9].

**What does the Board do for ill and injured Veterans?**

The Board ensures that Canada's Veterans receive the disability benefits to which they are entitled under the law. To do this, the Board offers two levels of redress for Veterans who are dissatisfied with decisions made by Veterans Affairs Canada (VAC, the Department).

Review hearings are conducted by panels of two Board Members in approximately 25 locations across the country. Veterans have the opportunity to appear in person before fair, impartial decision-makers where they can give oral testimony and bring evidence and witnesses in support of their case.

Appeal hearings are conducted primarily in Charlottetown, Prince Edward Island by panels of three Board Members who did not hear the case at Review. While the legislation does not permit oral testimony at this level, the appeal hearing provides a further opportunity for applicants, through their representative, to submit new information and make arguments in support of their case.

All hearings are non-adversarial, which means no one argues against the Veteran. Learn more about the Board's hearings[10].

**An Independent Appeal Process**

The Board operates at arm's-length from the Department to provide an independent appeal process. As independent adjudicators, Board Members are not bound by previous decisions and will change them to benefit Veterans if there is credible evidence.

Every year, thousands of individuals benefit from the opportunity to appear and have their information looked at in the best possible light by independent decision makers. Last year alone, more than 2,100 applicants received new or increased disability benefits from the Board.

**What kind of cases does the Board hear?**

Decisions appealed to the Board represent the most complex and challenging cases, since the straightforward ones are approved by VAC. Many applicants are satisfied with their Departmental decisions and only a small percentage (about 10% of VAC's 35,000 to 40,000 annual decisions with appeal rights) come to the Board for an independent appeal.

The Board reviews decisions related to:

- disability pensions or awards;
- special awards, including Attendance Allowance, Exceptional Incapacity Allowance and Clothing Allowance;
- dependent/survivor benefits; and
- War Veterans Allowance appeals.

The Board also hears applications for compassionate awards.

In 2011-2012, the top five medical conditions in applications to the Board were:

- lower back conditions
- knee conditions
- tinnitus
- neck conditions
- hearing loss

**Workload and Outcomes**

The Board issues approximately 4,500 decisions annually, three-quarters of which are Review and one-quarter Appeal. The Board manages this workload with an average of 25 permanent Board Members and 85 operational staff.

In 2011-2012, the Board ruled favourably in approximately half of Reviews and a third of Appeals. These favourability rates are due, in part, to the Board's ability to give applications a fresh new look, receive new evidence, and hear testimony from the applicant and witnesses. Learn more about the Board's workload statistics[11].

**Board Members**

Members are independent, impartial adjudicators. Their job is to decide whether the evidence meets the requirements of the legislation to award new or increased levels of disability benefits.

To do this, they:

- conduct hearings where they listen to testimony and arguments and weigh all the evidence;
- make a full and fair examination of available information;
- interpret and apply the legislation based on the evidence presented; and
- write clear and well-reasoned decisions.

Members are appointed through a transparent, merit-based selection process that recognizes the value of military, medical, policing, and legal backgrounds. Before hearing cases, all new Members undergo a rigorous training program, and receive ongoing and specialized training from medical, legal, military and lay experts. In particular, Members are regularly exposed to military and policing work/cultures through a variety of training activities, including visits to Canadian Forces bases. Learn more about Members[12] and the Member Selection Process[13].

**Transparency**

The Board is committed to increasing transparency in the decision-making process by providing clear decisions written in plain language. Several training and decision writing initiatives are in

progress to improve the clarity of decisions and to explain how the Board applies the generous rules of evidence required by the legislation. The Board is also committed to providing easily-accessible information on the appeal process. In 2013-2014, the Board will continue to develop new and useful information resources for applicants and stakeholders.

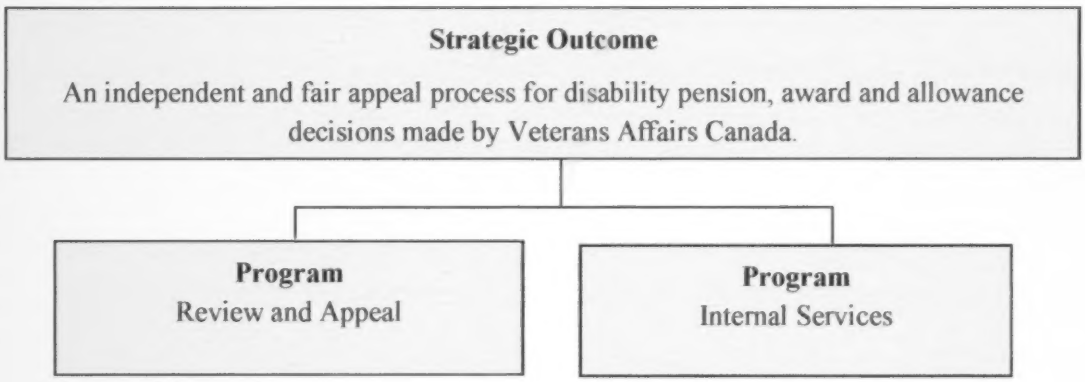
**Communication**

The Board will continue to focus on increasing communications with Veterans and Canadians. It plans to work with the CF, RCMP, and Veterans' organizations to identify new opportunities for outreach and information sharing. This work is a key priority for the Board because these groups provide helpful perspectives and suggestions on how to improve service to applicants.

**Privacy**

The Board has strengthened its approach to safeguarding the personal information in its care. It has reviewed employees' access to systems containing client information, introduced mandatory training, and communicated regular reminders to reinforce the "need-to-know" principle for employees. In 2013-2014, the Board will continue to review its processes through a privacy lens to ensure they meet the highest possible standards.

## Strategic Outcome and Program Alignment Architecture (PAA)


Strategic Outcome
An independent and fair appeal process for disability pension, award and allowance decisions made by Veterans Affairs Canada.
Program
Review and Appeal
Program
Internal Services

## Organizational Priorities

The Veterans Review and Appeal Board has three operational priorities and one management priority which link to the Board's strategic outcome. The operational priorities outline the planned actions to be taken to improve the delivery of the Board's program in order to achieve better results for Canadians. The management priority is focussed on improving internal practices and controls in order to strengthen overall performance.

| Priority | Type | Strategic Outcome |
|---|---|---|
| Program Delivery | Ongoing | An independent and fair appeal process for disability pension, award and allowance decisions made by Veterans Affairs Canada |

**Description**

**Why is this a priority?**

It ensures applicants have an avenue of redress by an independent tribunal for disability compensation and War Veterans Allowance applications.

**Plans for meeting the priority**

- Provide timely service to applicants to hear their case and receive their written decision.

| Priority | Type | Strategic Outcome |
|---|---|---|
| Improved Program Delivery | Ongoing | An independent and fair appeal process for disability pension, award and allowance decisions made by Veterans Affairs Canada |

**Description**

**Why is this a priority?**

Enhancing program delivery through innovation and the use of technology improves the process for applicants.

**Plans for meeting the priority**

- Implement improvements and efficiencies identified in the Business Process Redesign of the Review and Appeal Hearing Process.

| Priority | Type | Strategic Outcome |
|---|---|---|
| Communication | Ongoing | An independent and fair appeal process for disability pension, award and allowance decisions made by Veterans Affairs Canada |

| Description |
|---|
| **Why is this a priority?**<br>It ensures applicants and all Canadians have information on the Board's mandate, program, and redress process, while meeting the increasing information needs of applicants.<br>**Plans for meeting the priority**<br>• Work with Veterans organizations and stakeholders to identify new opportunities for outreach and information sharing.<br>• Develop new information resources for applicants and continue to publish useful materials and decisions on the Web site. |

| Priority | Type | Strategic Outcome |
|---|---|---|
| Accountable Management | Ongoing | An independent and fair appeal process for disability pension, award and allowance decisions made by Veterans Affairs Canada |

| Description |
|---|
| **Why is this a priority?**<br>To provide an effective program for applicants and their families by focussing on management, transparency and accountability.<br>**Plans for meeting the priority**<br>• Continue to strengthen privacy practices and the handling and protection of personal information.<br>• Allocate resources to priorities and continue to integrate risk management practices throughout the Board. |

## Risk Analysis

**Operating Environment**

The Board carries out its mandate within a complex and changing environment. The workload is influenced by the fluctuating volume of applications as well as the nature of the medical conditions and interrelationships. There are increasing expectations for the Board's appeal processes, information sharing, and decisions. In 2012 the Office of the Veterans Ombudsman

(OVO) and the House of Commons Standing Committee on Veterans Affairs (ACVA) published reports and made recommendations on the appeal program. The Board is taking action to respond to these reports and make changes.

**Program Delivery**

In addition to improving the content of its decisions and ensuring they are written in plain language, the Board has a Business Process Redesign project underway to identify further internal improvements and efficiencies in the appeal program. The Board continues to work with representatives to refine the annual hearing calendar and incorporate more options to provide Veterans the opportunity for timely hearings.

**Communication**

The Board is committed to providing all applicants with a fair hearing where they are treated with dignity and respect. Its goal is to ensure that those who come to the Board have the opportunity to fully express their case and receive a fair decision with clear reasons. In recent years, the Board has responded to increased requests from stakeholders, applicants, and parliamentarians for more information on its program and approach to decision making. It has made considerable strides in this regard - notably by publishing decision-making resources on its Web site and increasing its outreach activities. In the coming year, the Board will continue to develop new, plain language information resources for applicants and stakeholders, and plans to work more closely with the CF, RCMP, and Veterans' organizations to identify new opportunities for outreach and information sharing. The Board will also focus on implementing recommendations made by the OVO and ACVA to make further improvements to its program and to restore the confidence and trust of Veterans in the appeal process.

**Accountable Management**

The annual appropriations approved through Parliament provide the Board's funding. The Board is experiencing increased demands on resources in an evolving environment. Expectations to meet the OVO and ACVA recommendations within the Board's existing resources create new fiscal challenges. The Board strategically allocates resources and spending in its Integrated Business and Human Resources Plan. As well, the Board continues to integrate risk management to ensure an environment where Members and staff identify potential issues and strategies to reduce any possible impacts.

The Board meets with representatives and members of Veterans organizations to discuss operational issues related to the hearing process and to share information.

The Board continues to recruit Members through a rigorous, merit-based selection process and ensures its staff complement meets operational needs. The Board supports learning plans and training programs to prepare staff for the future as well as a professional development program for Members. The Board will continue to identify business process improvements which increase flexibility and efficiency in the appeal process.

## Planning Summary

**Financial Resources (Planned Spending — $ millions)**

| Total Budgetary Expenditures (Main Estimates) 2013-14 | Planned Spending 2013–14 | Planned Spending 2014–15 | Planned Spending 2015–16 |
|---|---|---|---|
| 11.6 | 11.7 | 11.6 | 11.6 |

**Human Resources (Full-Time Equivalents—FTE)**

| 2013–14 | 2014–15 | 2015–16 |
|---|---|---|
| 113 | 113 | 113 |

**Planning Summary Table ($ millions)**

| Strategic Outcome | Program | Actual Spending 2010–11 | Actual Spending 2011–12 | Forecast Spending 2012–13 | Planned Spending | | | Alignment to Government of Canada Outcomes |
|---|---|---|---|---|---|---|---|---|
| | | | | | 2013–14 | 2014–15 | 2015–16 | |
| An independent and fair appeal process for disability pension, award and allowance decisions made by Veterans Affairs Canada | Review and Appeal | 12.1 | 12.7 | 11.7 | 11.7 | 11.6 | 11.6 | Economic Affairs[14] |
| Total | | 12.1 | 12.7 | 11.7 | 11.7 | 11.6 | 11.6 | |

**Planning Summary Table for Internal Services ($ millions)**

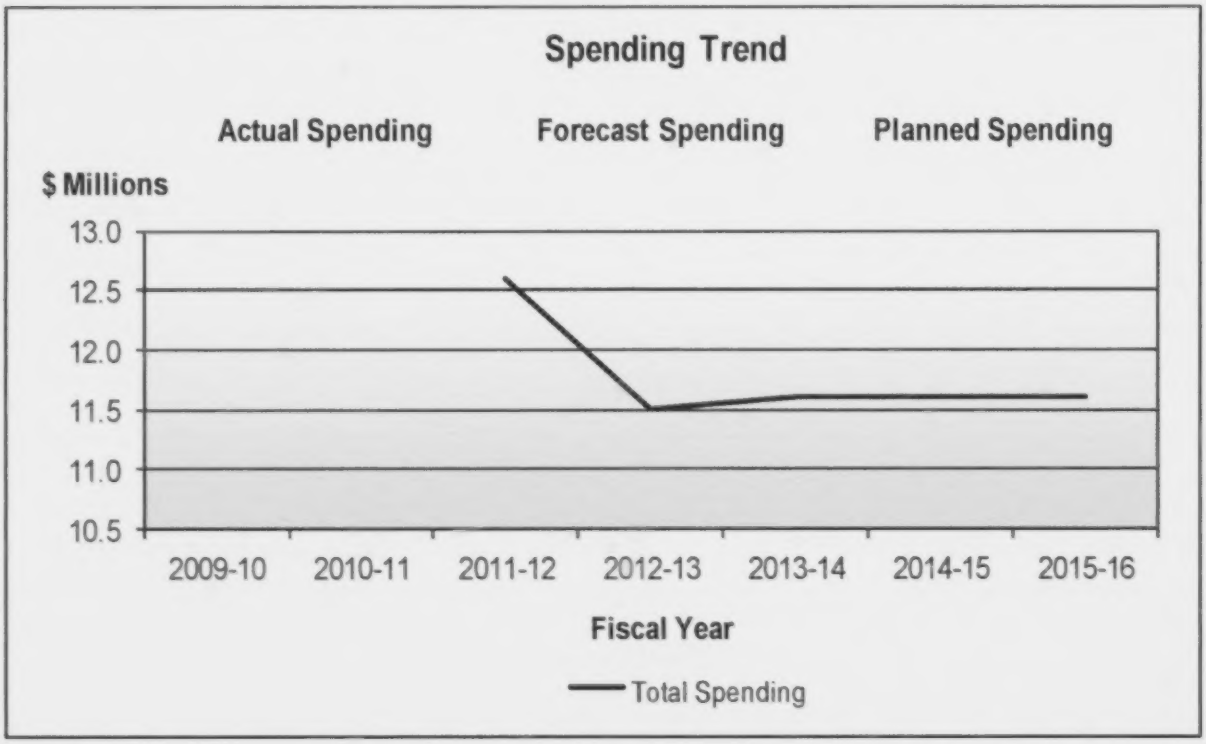
| Program | Actual Spending 2010–11 | Actual Spending 2011–12 | Forecast Spending 2012–13 | Planned Spending | | |
|---|---|---|---|---|---|---|
| | | | | 2013–14 | 2014–15 | 2015–16 |
| Internal Services | Internal Services to support the operations of the Veterans Review and Appeal Board are provided under a Memorandum of Understanding (MOU) by Veterans Affairs Canada through its Vote 1 – Operating Expenditures. | | | | | |

**Planning Summary Total ($ millions)**

| Strategic Outcome Program, and Internal Services | Actual Spending 2010–11 | Actual Spending 2011–12 | Forecast Spending 2012–13 | Planned Spending | | |
|---|---|---|---|---|---|---|
| | | | | 2013–14 | 2014–15 | 2015–16 |
| Total | 12.1 | 12.7 | 11.7 | 11.7 | 11.6 | 11.6 |

## Expenditure Profile

**Departmental Spending Trend**




Planned spending for the Veterans Review and Appeal Board is expected to remain constant over the three-year planning period. Actual spending in 2011-2012 increased by approximately $1 million due to the payout of severance and termination benefits related to the revision of specific collective agreements. The 2011-2012 Report on Plans and Priorities was the first stand-alone report for the Board. Spending for previous years was reported as part of the Veterans Affairs Portfolio.

## Estimates by Vote

For information on our organizational appropriations, please see the *2013–14 Main Estimates*[15] publication.

# Section II: Analysis of Program by Strategic Outcome

## Strategic Outcome

**Strategic Outcome:** An independent and fair appeal process for disability pension, award and allowance decisions made by Veterans Affairs Canada

| Performance Indicators | Targets |
|---|---|
| Percentage of Board decisions overturned by the Federal Court | Less than 2% of Board decisions are overturned by the Federal Court |

## Program

Review and Appeal

**Program Description**

The Veterans Review and Appeal Board's program activity delivers the independent review and appeal process for disability pension and disability award decisions made by Veterans Affairs Canada. It provides two levels of appeal for Veterans, Canadian Forces members, Royal Canadian Mounted Police applicants, and their families who are dissatisfied with their disability pension and disability award decisions. The Board conducts hearings and issues written decisions. The Board's other key functions include hearing reviews and appeals of special award decisions made by Veterans Affairs Canada relating to attendance allowances, exceptional incapacity allowances and clothing allowances; hearing the final level of appeal for War Veterans Allowance decisions; and granting compassionate awards.

**Financial Resources ($ millions)**

| Total Budgetary Expenditures (Main Estimates) 2013-14 | Planned Spending 2013–14 | Planned Spending 2014–15 | Planned Spending 2015–16 |
|---|---|---|---|
| 11.6 | 11.7 | 11.6 | 11.6 |

**Human Resources (FTE)**

| 2013–14 | 2014–15 | 2015–16 |
|---|---|---|
| 113 | 113 | 113 |

| Program Expected Results | Performance Indicators | Targets |
|---|---|---|
| Applicants are provided with a fair appeal process | Percentage of cases that meet criteria for fair proceedings and quality decisions.<br>Percentage of decisions issued within the published service standard. | Target is "Meet Expectations" on a scale currently being developed<br>80% |

Internal Services

**Program Description**

Internal services to support the operations of the Veterans Review and Appeal Board are provided under a MOU by Veterans Affairs Canada through its Vote 1 – Operating Expenditures. This service relationship has been in place since the Board was created in 1995 and continues to capitalize on the efficiencies presented by the Portfolio Department providing internal services to a very small Portfolio member. A Memorandum of Understanding dated 28 February 2011 between the Veterans Review and Appeal Board and Veterans Affairs Canada describes the internal services that are provided on an ongoing basis. These services are provided without charge to the Veterans Review and Appeal Board appropriations, with the exception of telecommunications, information technology hardware and certain program evaluation services. As part of this agreement, the Board's targets and reporting on the Departmental Sustainable Development Strategy are included in the Veterans Affairs Portfolio-wide report. An electronic version of the report is available on the Department's Web site[16].

## Planning Highlights

In order to achieve the expected result, the Veterans Review and Appeal Board plans to undertake the following activities:

- The Board is refining its annual hearing calendar to maximize opportunities for applicants to have a timely hearing. The Board will continue to focus on internal processes to meet its post-hearing commitment to issue decisions within six weeks of the hearing.

- The Board is responding to the changing disability program environment by undertaking a redesign of its business processes. This project will review current processes to identify opportunities and implement improvements to benefit the appeal program.

- The Board is working with Veterans organizations and stakeholders to identify new opportunities for outreach and information sharing with applicants and Canadians about the Board. It will continue to develop new resources and publish useful materials and decisions on the Web site.

- The Board will continue to strengthen privacy practices for the handling and protection of personal information.

- The Board will allocate resources to priorities and continue to integrate risk management strategies throughout the Board.

- The Board will work within the Memorandum of Understanding for Internal Services developed with Veterans Affairs Canada.

# Section III: Supplementary Information

## Financial Highlights

The future-oriented financial highlights presented within the *2013-14 Report on Plans and Priorities* are intended to serve as a general overview of the Veterans Review and Appeal Board's financial position and operations. These financial highlights are prepared on an accrual basis to strengthen accountability and improve transparency and financial management.

**Future-Oriented Condensed Statement of Operations and Departmental Net Financial Position**

For the Year (ended 31 March 2014)

**($ millions)**

| | **$ Change** | **Forecast 2013-14** | **Estimated Results 2012-13** |
|---|---|---|---|
| **Total expenses** | (.237) | 13.221 | 13.458 |
| **Total revenues** | 0 | 0 | 0 |
| **Net cost of operations before government funding and transfers** | (.237) | 13.221 | 13.458 |
| **Departmental net financial position** | 0 | (1.414) | (1.409) |

**Future-Oriented Condensed Statement of Financial Position**
For the Year (ended 31 March 2014)
**($ millions)**

| | **$ Change** | **Forecast 2013-14** | **Estimated Results 2012-13** |
|---|---|---|---|
| **Total net liabilities** | 0 | 1.711 | 1.711 |
| **Total net financial assets** | 0 | 0.297 | 0.297 |

| | | | |
|---|---|---|---|
| **Departmental net debt** | 0 | 1.414 | 1.414 |
| **Total non-financial assets** | (0.005) | 0 | 0.005 |
| **Departmental net financial position** | 0 | (1.414) | (1.409) |

## Future-Oriented Financial Statements

The planned spending for Veterans Review and Appeal Board as reported on a modified-cash basis for 2013-14 is $11.7 million. This amount has been adjusted by estimated amounts for services provided without charge (i.e. accommodations, government payments to employee insurance plans, etc.) and amortization of capital assets, to arrive at a future-oriented total expense of $13.2 million for 2013-14.

Future-oriented financial statements can be found on the Board's Web site[17].

## List of Supplementary Information Tables

All electronic supplementary information tables listed in the *2013-14 Reports on Plans and Priorities* can be found on the Board's Web site[18].

Greening Government Operations

## Section IV: Other Items of Interest

### Organizational Contact Information

For more information, visit the Board's Web site[19] at www.vrab-tacra.gc.ca or contact the Board at:

Veterans Review and Appeal Board
161 Grafton Street
Post Office Box 9900
Charlottetown PE C1A 8V7
Tel: 1(800)450-8006 Toll Free in Canada and the United States
Tel: 0-(902)566-8751 Call collect from all other locations
E-mail: vrab_tacra@vrab-tacra.gc.ca[20] Fax: 1(855)850-4644

## Endnotes

---

[1] About the Board, http://www.vrab-tacra.gc.ca/AbouttheBoard-AuSujetduTribunal-eng.cfm

[2] Organization, http://www.vrab-tacra.gc.ca/Organization-organisation-eng.cfm

[3] *Veterans Review and Appeal Board Act*, http://laws-lois.justice.gc.ca/eng/acts/V-1.6/

[4] *Veterans Review and Appeal Board Regulations*, http://laws-lois.justice.gc.ca/eng/regulations/SOR-96-67/index.html

[5] *Pension Act*, http://laws-lois.justice.gc.ca/eng/acts/P-6/index.html

[6] *Canadian Forces Members and Veterans Re-establishment and Compensation Act*, http://laws-lois.justice.gc.ca/eng/acts/c-16.8/index.html

[7] *War Veterans Allowance Act*, http://laws-lois.justice.gc.ca/eng/acts/W-3/index.html

[8] *Royal Canadian Mounted Police Pension Continuation Act*, http://laws-lois.justice.gc.ca/eng/acts/R-10.6/index.html

[9] *Royal Canadian Mounted Police Superannuation Act*, http://laws-lois.justice.gc.ca/eng/acts/R-11/index.html

[10] Hearings, http://www.vrab-tacra.gc.ca/Overview-Apercu-eng.cfm

[11] Workload Statistics, http://www.vrab-tacra.gc.ca/Facts/QuickFacts-faitsenbref-eng.cfm

[12] Members, http://www.vrab-tacra.gc.ca/Chair-and-members-President-et-membres-eng.cfm

[13] Member Selection Process, http://www.vrab-tacra.gc.ca/Employment-Emploi/Apply-Devenir-eng.cfm

[14] Income Security and Employment for Canadians, http://www.tbs-sct.gc.ca/ppg-cpr/frame-cadre-eng.aspx

[15] *2013-14 Main Estimates*, http://www.tbs-sct.gc.ca/ems-sgd/esp-pbc/me-bpd-eng.asp

[16] Departmental Sustainable Development Strategy, http://www.veterans.gc.ca/eng/department/reports/sds2007

[17] Veterans Review and Appeal Board, http://www.vrab-tacra.gc.ca/Plans-eng.cfm

[18] Veterans Review and Appeal Board Web site, http://www.vrab-tacra.gc.ca/Plans-eng.cfm

[19] Veterans Review and Appeal Board Web site, http://www.vrab-tacra.gc.ca/

[20] Veterans Review and Appeal Board E-mail: http://www.vrab-tacra.gc.ca/Contact-contactez-eng.cfm